

## **Kuzmych O. A guarantee as type of legal relationships is with participation of the third persons**

The article is sanctified to the analysis of guarantee from the point of view of legal relationships with participation of the third persons. The specific of guarantee and on the whole warranty obligation is analysed. Coming from the concept of the third person as a subject of civil legal relationship and signs that characteristic is for one of forms of participation of the third persons in civil legal relationships, drawn conclusion, that a warranty obligation is one of types of legal relationships, participation of the third persons опосередковується that, where a guarantor comes forward as the last.

The grounds of origin of warranty obligation and maintenance of legal bond of guarantor are analysed with a basic(main) civil legal relationship, as a result drawn conclusion, that an origin for the guarantor of corresponding duties does not contradict p. 1 article 511 CC of Ukraine, so as their origin consent. In addition, on results the analysis of maintenance of legal bond with a basic(main) civil legal relationship as provided, drawn conclusion, that right in a reverse action, that arises up for a guarantor as a result of implementation to them of warranty obligation, it does not follow to examine as a right that is owned by a guarantor as the third person as independent subject of civil legal relationships. Such right exists out of limits of warranty obligation as additional.

**Key words:** guarantee, guarantor, third person, legal transaction, debtor, creditor, basic(mainly) civil legal relationship.